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Attorney for Defendants

F I L E D
Clerk
District Court

MAR - 5 2008

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

PATRICK JAMES TIMMERMAN) CIVIL ACTION NO. 08-0007
individually, and as guardian ad litem)
for JOSHUA PATRICK AGCAOILI)
TIMMERMAN, a minor and MARIA)
PURLEY AGCAOILI TIMMERMAN)
)
Plaintiffs)
)
v.) ANSWER
)
TAGA AIR CHARTER SERVICES, INC)
HONG KONG ENTERTAINMENT)
(OVERSEAS) INVESTMENTS)
LTD., TINIAN DYNASTY HOTEL, INC.)
and DOES 1 - 100, inclusive)
)
Defendants .)
)

Comes now defendants Taga Air Services, Inc., ("Taga"), Hong Kong Entertainment (Overseas) Investments Ltd., and Tinian Dynasty Hotel, Inc., and answer the complaint as follows:

1. Defendants deny ¶¶ 2, 6, 8, 9, 10, 11, 12, 14, 15, 17, 18, 19, 20, 21, 22, 25, 26, 27, 29, 30, 31, 32, and 33.
2. In response to ¶ 1, defendants admit only that this complaint seeks alleged damages.

Defendants deny all other allegations and implications contained in ¶ 1.

3. In response to ¶ 3, defendant admit only that venue is proper only if jurisdiction exists. Defendants deny all other allegations and implications contained in ¶ 3.
4. In response to ¶ 4, deny plaintiffs are all citizens of North Carolina. Defendants lack information and knowledge regarding whether Maria and Patrick are, in fact, legally married and whether Joshua is Patrick's natural born son.
5. In response to ¶ 5, defendants deny Taga was the operator of the plane.
6. In response to ¶ 13, defendants admit Patrick was on the aircraft but deny Patrick was a passenger.
7. In response to ¶ 23, defendants reallege and incorporate their answers to ¶¶ 1 - 22 of the complaint.
8. In response to ¶ 24, defendants lack information and knowledge regarding whether Maria and Patrick are, in fact, legally married and therefore deny ¶ 24.
9. In response to ¶ 228, defendants reallege and incorporate their answers to ¶¶ 1 - 27 of the complaint.
10. Defendants admit ¶ 7.

AFFIRMATIVE DEFENSES

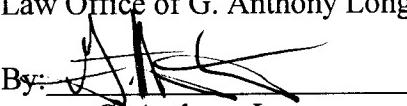
1. The court lacks subject matter jurisdiction.
2. Defendants have an accord and satisfaction for all past medical expenses and bills incurred by Timmerman.
3. The claims are barred by Workers Compensation.
4. Timmerman's injuries were caused by a fellow servant.

4. Timmerman was a borrowed servant at the time of the accident.
6. Timmerman's injuries, in whole or in part, were caused by his own negligence.
7. The recovery for non economic damages is limited to \$300,000.00.

PRAYER FOR RELIEF

WHEREFORE, defendants pray for relief as follows:

1. Plaintiff take nothing by her complaint;
2. Cost of suit including attorneys fees; and
3. Such other and further relief as the court deems just and proper.

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